

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

=====X
JAIME LACAYO, on behalf of himself and
others similarly situated,

Docket No. 08 CV 02783
Trial by Jury demanded

Plaintiff,

- against -

ANSWER

RIVERDALE SERVICE STATION, INC.,

Defendant.
-----X

Defendant, RIVERDALE SERVICE STATION, INC., by its attorneys, NESCI - KEANE
PLLC, answering the complaint herein, states:

1. Denies knowledge or information sufficient to form a belief as to the allegations contained in paragraphs 5 and 22 of the complaint.
2. Denies each and every allegation contained in paragraphs 1, 2, 9, 10, 11, 12, 13, 15, 17, 19, 20, 21, 23, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 and 45 of the complaint.
3. Denies each and every allegation contained in paragraphs 3, 4, 8, 24 and 25 of the complaint, except leave all questions of law to the Court.
4. Denies each and every allegation contained in paragraph 7, except admits Plaintiff worked from May 5, 2006 to August 18, 2006 and May 7, 2007 to July 11, 2007.
5. Denies each and every allegation contained in paragraph 18, except admits Plaintiff was employed by Defendant.

WHEREFORE, Defendant demands judgment dismissing the complaint herein, together with costs and disbursements of this action and for such other and further relief as to the Court may deem just and proper.

Dated: Hawthorne, New York
April 3rd, 2008

NESCI - KEANE PLLC

by 

VINCENT P. NESCI (N7463)

Attorneys for Defendant

Office & P. O. Address

40 Saw Mill River Road, Suite UL1

Hawthorne, New York 10532

(914) 345-0005

File No. 08-069/217578

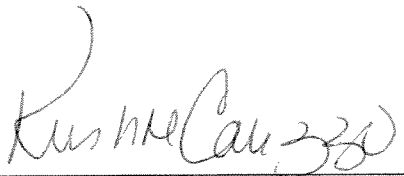
TO: LAW OFFICES OF ROBERT L. KRASELNIK, PLLC
Attorneys for Plaintiff
Office & P. O. Address
40 Wall Street, 28th Floor
New York, New York 10005
(212) 400-7160

STATE OF NEW YORK)
)SS.:
COUNTY OF WESTCHESTER)

KRISTINE CARRIZZO, being duly sworn says:

I am not a party to the action, am over 18 years of age and reside at Dutchess County, New York. On April 3, 2008, I served a true copy of an Answer, by mailing the same in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York addressed to the last known address of the addressee as indicated below:

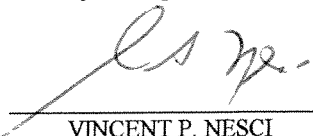
TO: LAW OFFICES OF ROBERT L. KRASELNIK, PLLC
Attorneys for Plaintiff
40 Wall Street, 28th Floor
New York, New York 10005



KRISTINE CARRIZZO

SWORN to before me this

3rd day of April 2008



VINCENT P. NESCI
Notary Public, State of New York
No. 60-81207904
Qualified in Westchester County
Commission Expires January 31, 2011